IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 7TH MARCH 2007 / 16TH PHALGUNA 1928

WP(C).No. 7553 of 2007(Y)

PETITIONER:

SEENA.M.,
PD TEACHER, GOVT. U.P.SCHOOL, KUTTUR,
KANNUR DIST.

BY ADV. SRI.P.V.LOHITHAKSHAN
SMT.P.VIJAYAMMA

RESPONDENTS:
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1. STATE OF KERALA,
REP.BY THE SECRETARY TO GOVERNMENT,
GENERAL EDUCATION (P) DEPARTMENT,
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.

2. DEPUTY DIRECTOR OF EDUCATION,
KANNUR.

3. ASST. EDUCATIONAL OFFICER,
PAYYANNUR, KANNUR DISTRICT.

BY GOVT. PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

W.P.(C).No.7553 OF 2007

Dated this the 7th day of March, 2007

JUDGMENT

Case of the petitioner in brief is as follows:

Petitioner applied for leave for joining B.Ed. course at Calicut University Teacher Education Centre, Kannur and leave was granted vide Ext.P2 while she was pursuing study. She rejoined on 30-03-2005 after B.Ed. course. It is her case that she is being paid salary and benefits treating her as a new entrant to service. Pay revision benefits are also denied, it is stated. Petitioner relies on the decision reported in **Deepika v. State of Kerala** (2007(1)KLT 71). Petitioner has preferred Ext.P5 before the first respondent. Petitioner also relies on Ext.P6 circular also.

2. Heard learned Government Pleader also.

3. The writ petition is disposed of directing the first respondent to consider and take a decision on Ext.P5 in accordance

with law after hearing the petitioner within a period of two months from the date of receipt of a copy of this judgment. It is open to the petitioner to rely on the decision reported in 2007(1)KLT 71 and any other judgment which the petitioner chooses to rely on. It is also open to the petitioner to rely on Ext.P6 circular. I leave open the contentions of the petitioner.

K.M.JOSEPH
JUDGE

sv.